

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

March 23, 2004 LB 613, 1231A

Hartnett. He waives closing. The question before the body is advancement of LB 1231A to E & R Initial. All in favor of advancement vote aye, those opposed nay. Please cast your vote who care to. Record please, Mr. Clerk.

ASSISTANT CLERK: 26 ayes, 0 nays on the motion to advance, Mr. President.

SENATOR CUDABACK: LB 1231A does advance. Mr. Clerk, next agenda item.

ASSISTANT CLERK: Next bill, Mr. President, LB 613, introduced by Senators Bourne and Synowiecki. (Read title.) The bill was read for the first time on January 21, referred to the Judiciary Committee. That committee reports the bill to General File. There are no committee amendments.

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Bourne, to open on LB 613.

SENATOR BOURNE: Thank you, Mr. President, members. LB 613 is actually the...I think it's the third iteration of this bill. And the bill, or this subject or concept, has had an interim study in front of the Judiciary Committee as well. I'd like to thank Senator Bromm for prioritizing this bill. He made LB 613 his personal priority this year, and I appreciate him...appreciate very much his doing so. LB 613 gives an evidentiary testimonial privilege...oh, and I'd also like to thank Senator Synowiecki for signing on to the bill as well. LB 613 gives an evidentiary testimonial privilege to employees or volunteer advocates of domestic violence/sexual assault programs here in Nebraska. Privileges already granted through Nebraska law include the lawyer-client privilege, physician-patient, husband-wife, and communications with clergy. Currently, Nebraska law does not protect confidentiality when an advocate is asked or subpoenaed to testify as a witness. Disclosure of such communications can cause the victim additional harm, and has the potential of making the victim even more reluctant to seek very important services offered by our intervention folks. LB 613 does not provide for an absolute privilege. Under the bill, a party seeking disclosure of